

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DANIEL B. KARRON,

Plaintiff,

-against-

UNITED STATES OF AMERICA,

Defendant.
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DQC #:
DATE FILED: 1/18/12

**ORDER DIRECTING PAYMENT
OF FEE OR IFP APPLICATION**

07 Cr. 0541 (RPP)

12 Civ. 0118 (RPP)

ROBERT P. PATTERSON, U.S.D.J.

Plaintiff Daniel B. Karron brings this pro se “Motion under Federal Rules Criminal Procedure 41(g) for the return of property seized in criminal case.” The Court construes the Motion to be a Complaint commencing a new civil action in equity in which Plaintiff seeks the return of property seized by the Government during a criminal investigation where the corresponding criminal proceeding, United States v. Karron, No. 07 Cr. 0541 (RPP), is closed. See Diaz v. United States, 517 F.3d 608, 610 (2d Cir. 2008). The Court directs Plaintiff to pay the \$350.00 filing fee or to submit a completed Request to Proceed In Forma Pauperis (“IFP application”) within thirty (30) days of the date of this Order as detailed below.

Plaintiff submitted her Motion without paying the filing fee or submitting an IFP application. In order to proceed with a civil action in this Court, Plaintiff must pay the \$350.00 filing fee or ask the Court to waive the fee by requesting to proceed in forma pauperis with a signed IFP application. See 28 U.S.C. §§ 1914, 1915. Therefore, Plaintiff is directed to pay the \$350.00 filing fee or, in the alternative, to submit an IFP application to the Court within thirty (30) days of the date of this Order. If Plaintiff submits an IFP application, the application must bear the docket number 12 Civ. 0118 (RPP).¹

¹ For Plaintiff’s convenience, an IFP application is attached.

No Summons shall issue at this time. If Plaintiff fails to comply with this Order within the time allowed, this civil action will be dismissed.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

IT IS SO ORDERED.

A handwritten signature in cursive script, appearing to read "R. P. Patterson, Jr.", is written over a horizontal line.

Robert P. Patterson, Jr.
U.S.D.J.

Dated: New York, New York
January 18, 2012

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

-against-

____ Civ. ____ () ()

**REQUEST TO PROCEED
IN FORMA PAUPERIS**

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

I, _____, (print or type your name) am the plaintiff/petitioner in the above entitled case and I hereby request to proceed *in forma pauperis* and without being required to prepay fees or costs or give security. I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor, and that I believe I am entitled to redress.

1. If you are presently employed:
- a) give the name and address of your employer
 - b) state the amount of your earnings per month

2. If you are NOT PRESENTLY EMPLOYED:
- a) state the date of start and termination of your last employment
 - b) state your earnings per month

YOU MUST ANSWER THIS QUESTION EVEN IF YOU ARE INCARCERATED.

3. Have you received, within the past twelve months, any money from any source? If so, name the source and the amount of money you received.

a) Are you receiving any public benefits? ☐ No. ☐ Yes, \$_____.

b) Do you receive any income from any other source? ☐ No. ☐ Yes, \$_____.

4. Do you have any money, including any money in a checking or savings account? If so, how much?

☐ No. ☐ Yes, \$_____.

5. Do you own any apartment, house, or building, stock, bonds, notes, automobiles or other property?
If the answer is yes, describe the property and state its approximate value.

☐ No. ☐ Yes, \$_____.

6. Do you pay for rent or for a mortgage? If so, how much each month?

☐ No. ☐ Yes, _____.

7. List the person(s) that you pay money to support and the amount you pay each month.

8. State any special financial circumstances which the Court should consider.

I understand that the Court shall dismiss this case if I give a false answer to any questions in this declaration.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this _____ day of _____, _____.
date month year

Signature